

## IN THE UNITED STATES COURT OF FEDERAL CLAIMS

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COMMON GROUND HEALTHCARE  
COOPERATIVE,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

No. 17-877

Filed: April 10, 2023

**ORDER**

On April 4, 2023, Plaintiff filed an unopposed motion to transfer a Class member, Tufts Health Public Plans Inc. (“Tufts”), to the case *Harvard Pilgrim Health Care, Inc., et al. v. United States*, No. 1:18-cv-01820-LAS. *See* ECF No. 181. As grounds for its motion, Plaintiff states that: (1) Tufts and Harvard Pilgrim are now part of one combined organization; (2) similar to Tufts, the plaintiffs in *Harvard Pilgrim* seek payment from the Government under Section 1402 of the Affordable Care Act; and (3) both cases are premised on the same facts and legal theories. *Id.* at 1–2. Plaintiff notes that counsel for *Harvard Pilgrim* concurs with this request. *Id.* at 3.

Pursuant to Rule 40.1(b) of the Rules of the United States Court of Federal Claims, and to promote the efficient administration of justice, the Clerk of Court is directed to **TRANSFER** Tufts Health Public Plans Inc. to the Honorable Loren A. Smith’s case *Harvard Pilgrim Health Care, Inc., et al. v. United States*, No. 1:18-cv-01820-LAS. Judge Smith has agreed to this transfer.

**SO ORDERED.**

Dated: April 10, 2023

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/s/ Kathryn C. Davis

KATHRYN C. DAVIS

Judge